

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

LEONARD CODY TILLER,

Plaintiff,

V.

STEPHEN O. CLEAR, *et al.*,

Defendants.

Civil Action No. 7:22cv00456

MEMORANDUM OPINION

By: Hon. Thomas T. Cullen
United States District Judge

Plaintiff Leonard Cody Tiller, proceeding *pro se*, filed this civil action under 42 U.S.C. § 1983. By conditional filing order entered August 8, 2022, the court advised Tiller that he must notify the court in writing immediately upon his transfer or release and must provide the court with his new address. (*See* ECF No. 3.) The court further advised Tiller that failure to provide an updated address would result in dismissal of this action. (*Id.*) On October 17 and 26, 2022, orders mailed to Tiller was returned to the court as undeliverable and with no forwarding address. (*See* ECF Nos. 7 & 14.) Tiller has not provided the court with an updated address. Accordingly, the court will dismiss this action without prejudice for failure to comply with the court's order. The court notes that this dismissal is without prejudice to Tiller's opportunity to refile his claims in a separate civil action, subject to the applicable statute of limitations.

ENTERED this 4th day of November, 2022.

/s/ Thomas T. Cullen
HON. THOMAS T. CULLEN
UNITED STATES DISTRICT JUDGE